

RECEIVED

MAY 28 2020

AT 8:00 M
WILLIAM T. WALSH, CLERK

Case No.:
2:19-cv-08100-CCC-JBC

WILLIAM F KAETZ
437 Abbott Road
Paramus NJ 07652
201-753-1063

Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WILLIAM F KAETZ
JBC
Plaintiff

Case No.: 2:19-cv-08100-CCC-

vs.

The United States
The United States of America
Hillary Clinton
Barack Hussein Obama
Defendants

RECEIVED
MAY 28 2020
AT 8:30 M
WILLIAM T. WALSH, CLERK

GENERAL CORESPONDENCE
AMENDMENT TO THE COMPLAINT

Assigned to:
Judge Claire C. Cecchi
Referred to:
Magistrate Judge James B. Clark
Cause:
42:1983 Civil Rights Act

GENERAL CORESPONDENCE REFERENCING THE AMENDED 42 U.S.C. § 1983
COMPLAINT IN ACCORDANCE WITH THE ORDER OF OCTOBER 4, 2019 AND
UPDATED AMENDMENT TO THE COMPLAINT.

Hello Judge Claire C. Cecchi...

PLEASE TAKE NOTICE that on November 4, 2019, plaintiff William Kaetz, pro se, filed an Amended 42 U.S.C. § 1983 civil complaint in the United States District Court District of New Jersey in accordance with the Order of October 4, 2019 against defendants; The United States. This includes all members of the Executive, legislative and Judicial branches of the U.S. government created by the U.S. Constitution in their official and personal capacity, The United States of America, this includes the 50 states of the United States of America that includes all members of the Executive, legislative and Judicial branches of the 50 states of the United States of America in their official and personal capacity, Hillary Clinton, and Barack Hussein Obama.

PLEASE TAKE NOTICE THAT A BRIEF WAS FILED IN SUPPORT OF THE COMPLAINT

PLEASE TAKE NOTICE that the court action is One Hundred and Ninety-Five Days (195 days) overdue.

PLEASE TAKE NOTICE that I William Kaetz, Plaintiff, now amend the complaint with new evidence of Civil Rights violations, the alleged coronavirus pandemic fraud, and illegal executive orders. The additional amendment to the complaint:

**VERIFIED AMENDMENT TO PLAINTIFF'S COMPLAINT FOR VIOLATION OF
CIVIL RIGHTS**

1. **Defendant Phil Murphy** has created an unacceptable tyranny in the state of New Jersey in violation of the Declaration of Independence upon which this nation was constructed, in violation of the Articles and Amendments of the Constitution of the United States, and in violation of the Constitution of the state of New Jersey. His attempt to assert himself as tyrant has restricted and denied the liberty of all New Jerseyans and has violated the civil rights of the plaintiff. The Plaintiff can fairly represent the interests of the class of nonessential New Jerseyans similarly situated.
2. **Plaintiff's** ability to peaceably assemble and to petition the government for redress of grievances has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders.
3. **Plaintiff** is a carpenter working in New Jersey whose rights to visit and purchase needed goods and services from nonessential businesses have been, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jerseyans similarly situated.
4. **Plaintiff's** ability to be a political activist whose ability to peaceably assemble and to petition the government for redress of grievances has been deemed nonessential, restricted, and

denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jerseyans similarly situated.

5. **Plaintiff's** ability to pursue his livelihood has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jerseyans similarly situated.

6. **Plaintiff** is the owner of a corporation in New Jersey, whose ability to pursue his livelihood has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jerseyans similarly situated. Nonessential New Jerseyans are a discrete class of people who are engaged in businesses and occupations suffering a deprivation of liberty, unlawful discrimination and disparate treatment, being excluded by Defendant Phil Murphy's Executive Orders whose inalienable rights have been deemed nonessential.

7. **Phil Murphy** is the Governor of the State of New Jersey, whose authority is expressly set forth and expressly limited in the Constitution of the State of New Jersey, and an individual who took an oath to perform the office of Governor of the state of New Jersey, swearing the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the state of New Jersey, and that I will faithfully discharge the duties of the office of (name of office) to the best of my ability." For purposes of 42 U.S.C. § 1983, Phil Murphy is a government official performing discretionary functions that violates clearly established statutory or constitutional rights of which a reasonable person would have known.

JURISDICTION AND VENUE

Plaintiff raises a federal question under 42 U.S.C. § 1983 and jurisdiction is therefore proper pursuant to 28 U.S. Code § 1331. Defendant Phil Murphy, acting in his capacity as governor of the state of New Jersey, has denied plaintiffs:

- A.** The Privilege of the Writ of Habeas Corpus which are guaranteed under Article 2, Section 9, clause 2, of the US Constitution, and in violation of the Constitution of the state of New Jersey.
- B.** Privileges and Immunities of Citizens in the several States which are guaranteed under Article 4, Section 2 of the US Constitution, including the liberty to freely practice religion, to peaceably assemble at local churches and other places of worship, to make a livelihood, to be free of deprivation of liberty including free movement and free association, and to retain the liberty interest protected by writs of habeas corpus.
- C.** A republican form of government which is guaranteed under Article 4, Section 4 of the US Constitution by restricting and denying by the liberty interests of New Jersey citizens, including:
 - (i)** Denying the plaintiff the right to attend open meetings of government entities making public laws.
 - (ii)** Entering into treaties, alliances and confederations with other states in violation of Article I, Section. 10 of the US Constitution.
 - (iii)** By denying plaintiffs the right to attend political rallies, and the right to peaceably assemble for purposes of asserting grievances against the government.
- D.** Rights protected under the First Amendment made applicable to the states under the Fourteenth Amendment, including the free practice of religion (closing churches), the right to peaceably assemble (banning non-criminal gatherings), and the right to petition the government for a redress of grievances (banning public political rallies or gatherings).

E. Rights protected under the Fourteenth Amendment, including:

- (i) enforcing state laws which shall abridge the privileges or immunities of plaintiffs who are citizens of the United States (suspending habeas corpus, imposing limited martial law when no invasion or other catastrophe exists; asserting the right to use military tribunals for citizens of New Jersey; and declaring an emergency when no emergency exists);
- (ii) Depriving New Jerseyans of fundamental liberty interests by imposing limited house arrest on citizens without due process.
- (iii) Depriving New Jerseyans of fundamental property interests by summarily terminating the businesses of persons deemed “nonessential” by the arbitrary and capricious whim of the governor; and by depriving them of their liberty interest in making a living.
- (iv) Depriving New Jerseyans of due process, in placing persons without illness or a finding of illness under limited house arrest, and placing persons without illness or a finding of illness in quarantine, summarily closing businesses deemed non-essential, and otherwise restricting liberty protected under the US Constitution and New Jersey’s Constitution with no process of any sort – no notice, no hearing, no trial, no opportunity to confront witnesses, no opportunity to put on a defense, no opportunity to obtain a reasoned decision, and no opportunity to appeal.
- (v) Depriving plaintiffs of equal protection of the laws by deeming certain New Jerseyans as “essential businesses” and the plaintiff and others as “non-essential” even though they are similarly situated.

8. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides for “limited military law”, “a partial subordination of civil authority by the setting up of an additional police power vested in the military force, which shall have the right to try all persons

apprehended by it in such area by a military tribunal,” and at “which time the writ of habeas corpus shall be suspended in behalf of such person”.

9. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor “[o]n behalf of this state, to enter into mutual aid arrangements with other states and territories, and to coordinate mutual aid interlocal agreements between political subdivisions of this state”.

10. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor, after proclaiming a state of emergency, may issue an order prohibiting “[a]ny number of persons, as designated by the governor, from assembling or gathering on the public streets, parks, or other open areas of this state, either public or private”.

11. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor, after proclaiming a state of emergency, may issue an order prohibiting “[t]he sale, purchase or dispensing of other commodities or goods, as he or she reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace”.

12. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor, after proclaiming a state of emergency, may issue an order prohibiting “[s]uch other activities as he reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace”. Neither the US Constitution, nor the Constitution of the state of New Jersey, grant the governor the authority to so act.

13. The Plaintiff seeks to redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens

or of all persons within the jurisdiction of the United States and jurisdiction is therefore proper pursuant to 28 U.S. Code § 1343(3).

14. The Plaintiff seeks to recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote and jurisdiction is therefore proper pursuant to 28 U.S. Code § 1343(4).

15. The Plaintiff seeks relief for violations of state law under facts related to the claims asserted that form part of the same case. Supplement jurisdiction is therefore proper pursuant to 28 U.S. Code § 1367(a). Venue is proper pursuant to 28 U.S. Code § 1391(b)(2).

INJURIES

Plaintiff's damages are real and substantial. Plaintiffs assert damages in the minimum amount of One Hundred Thousand dollars (\$100,000) which include pain and suffering, loss of liberty, and injuries to property and income in an amount to be proved at trial. Damages should come from Phil Murphy personally, not from the taxpayers.

DISCUSSION

The response to the coronavirus is hyped. And in time, this hype will be revealed as politically hoaxed. In fact, COVID-19 will go down as one of the political world's biggest, most shamefully overblown, overhyped, overly and irrationally inflated and outright deceptively flawed responses to a health matter in American history, one that was carried largely on the lips of medical professionals who have no business running a national economy or government. The facts are this: COVID-19 is a real disease that sickens some, proves fatal to others, mostly the elderly — and does nothing to the vast majority. That's it. That, in a nutshell, is it.

SEE ALSO: Eighty percent of the population has little or nothing to fear from COVID-19

[\(https://www.washingtontimes.com/news/2020/apr/27/eighty-percent-of-the-population-has-little-or-not/\)](https://www.washingtontimes.com/news/2020/apr/27/eighty-percent-of-the-population-has-little-or-not/)

Or, in the words of Dan Erickson (</topics/dan-erickson/>) and Artin Massih, doctors and co-owners of Accelerated Urgent Care in Bakersfield, California: Let's get the country reopened — and now. “Do we need to still shelter in place?

Our answer is emphatically no.

Do we need businesses to be shut down?

Emphatically no. … [T]he data is showing it's time to lift,” Erickson (</topics/danerickson/>) said [\(https://www.aier.org/article/open-up-society-now-say-dr-dan-erickson-and-dr-artinmassih/\)](https://www.aier.org/article/open-up-society-now-say-dr-dan-erickson-and-dr-artinmassih/), in a recent interview.

He's right.

They're right.

The data to keep America closed and Americans closed in simply doesn't exist.

If truth be told, it's questionable it ever did. The scientists leading the coronavirus shutdown charge predicted in March that in America, between 100,000 and 250,000 would die. They based those estimates on computer modeling. But at the same time they were basing those estimates on computer modeling, they were acknowledging that computer modeling [\(https://www.nytimes.com/2020/03/31/world/coronaviruslive-news-updates.html \)](https://www.nytimes.com/2020/03/31/world/coronaviruslive-news-updates.html) is inaccurate and errs on the side of hype. “I've never seen a model of the diseases I've dealt with where the worst-case actually came out,” said [\(https://www.cnn.com/2020/03/29/politics/coronavirus-deaths-cases-anthony-faucicnntv/index.html \)](https://www.cnn.com/2020/03/29/politics/coronavirus-deaths-cases-anthony-faucicnntv/index.html) Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases and a member of President Donald Trump's White House coronavirus task force, during a CNN interview in March. “They always overshoot.” Catch

that? Fauci's message: Computer models are flawed and inaccurate and always overestimate the problem. But from these faulty overinflated computer figures came all the constitutionally questionable actions by government anyway — from ordering businesses closed to quarantining-slash-house arresting American citizens to doing some quick and pitiful and economically painful income redistribution schemes via stimulus funds' legislation. Since, about 56,000 have died in America due to coronavirus — or have they? Again, the facts are flimsy. Government ordered hospitals weeks ago to stop performing elective surgeries to make way for the projected numbers of coronavirus patients. So they did. And in so doing, they cut off their revenue streams. So Congress passed legislation giving hospitals billions of dollars to treat coronavirus patients. Conflict of interest? Yikes. Yes. The coronavirus counts, already flawed from computer modeling, were then given another flaw treatment. “[Pennsylvania] removes more than 200 deaths from official coronavirus count as questions mount about reporting process, data accuracy,” The Inquirer reported (<https://www.inquirer.com/health/coronavirus/spl/pennsylvania-death-count-changes-confusioncoronavirus-20200423.html>).

Add to that the ever-changing nature of a virus that spreads by air and contact, and honestly, suddenly, even expert Fauci's best guess is about as good as Joe Neighbor's best guess. So that leaves common sense, combined with knowledge of past viruses, to guide. But the quote-unquote medical experts refused to go there, refused to acknowledge common sense, refused to compare with past viruses in any way that didn't hype the coronavirus counts. This virus was different, Americans were told. This virus was far more contagious than anything ever before seen or studied, Americans were told. And any time the case counts dropped off and the numbers proved wrong, well, this was due to the social distancing and quarantining and face-mask wearing that Americans had been doing, by government's order — Americans were told.

It just didn't make sense.

It just doesn't add up.

It just didn't, and doesn't, justify the utter shredding of civil rights.

And now some in the medical community, thank goodness, are starting (<https://abc7news.com/shelter-in-place-coronavirus-stay-at-home-ca/6131877/>) to point out the glaring omissions of logic and fact that have plagued this overhyped, overreaching coronavirus crackdown that has stretched on far, far too long. Among some of Erickson (/topics/dan-erickson/)’s remarks: “This is immunology — microbiology 101. This is the basis of what we’ve known for years: When you take (https://www.youtube.com/watch?v=xFLVxx_lBLU) human beings and you say, ‘Go into your house, clean all your counters, Lysol them down’ … what does it do to our immune system? … Sheltering in place decreases your immune system.” And this: “Any time you have something new in the [medical] community, it sparks fear — and I would have done what Dr. Fauci did … initially. … But you know, looking at theories and models — which is what these folks use — is very different than the way the actual virus presents itself throughout communities.”

And this: “Do you think you’re protected from COVID when you wear gloves that transfer disease everywhere? … We wear masks in an acute setting to protect us. [But] we’re not wearing masks. Why is that? Because we understand microbiology. We understand immunology. And we want strong immune systems. I don’t want to hide in my home, develop a weak immune system and then come out and get disease.”

And this: “When I’m writing up my death report I’m being pressured to add COVID. Why is that? Why are we being pressured to add COVID? To maybe increase the numbers, and make it look a little bit worse than it is. We’re being pressured in-house to add COVID to the diagnostic list when

we think it has nothing to do with the actual cause of death. The actual cause of death was not COVID, but it's being reported as one of the diseases processes. ... COVID didn't kill them, 25 years of tobacco use killed."

Does it get any clearer than that?

Seriously, America. The only reason America is still in shutdown mode is political. Either politicians are too afraid to make any move that might come back to bite them politically or politicians are using this coronavirus to political advantage — to, say, pass gun control laws, like Virginia's governor, Ralph Northam. Or to, say, float campaign hopes on the current ravaged economy, like former Vice President Joe Biden and oh, all the Democrats facing races. But for the rest of America — the rest of hardworking, freedom-loving America — it's time to reel in the radically unconstitutional.

"If you're going to dance on someone's constitutional rights, you better have a good reason — you better have a really good reason, not just a theory," Erickson ([/topics/dan-erickson/](#)) said. "The data is showing us it's time to lift ... so if we don't lift, what is the reason?" That is the key question. As time goes by, the answer will only become more and more evident. The coronavirus may be real — but the hype is hoaxed. Now let's just hope this is a one-time hoax that doesn't roll around every time flu season approaches.

• *Cheryl Chumley can be reached at cchumley@washingtontimes.com*

(<mailto:cchumley@washingtontimes.com>) or on Twitter, @ckchumley. Listen to her podcast "Bold and Blunt" by clicking HERE (<https://www.washingtontimes.com/staff/cheryl-k-chumley/>).

PRAYER FOR RELIEF
(US Constitutional Claims)

1. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate Article 2, Section 9, clause 2, of the US Constitution.
2. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate Article 4, Section 2 of the US Constitution.
3. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate under Article 4, Section 4 of the US Constitution.
4. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate the First Amendment of the US Constitution.
5. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate the First Amendment of the US Constitution.
6. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate the Fourteenth Amendment of the US Constitution.

42 U.S.C. § 1983

1. Plaintiffs seeks an injunction to prevent defendant Phil Murphy from further actions which deprive plaintiff from rights protected under the United States Constitution and the Constitution of the State of New Jersey.
2. Plaintiff seeks all lawful remedies resulting from Phil Murphy's intentional acts to violate the civil rights of the plaintiff, including damages in an amount to be proved at trial, an award of costs and fees, and punitive damages in an amount sufficient to deter future behavior.

3. Plaintiff seeks all other remedies available to the plaintiff, whether in law or equity as this court may deem appropriate, including a trial by jury for all material issues of fact which may arise.

Respectfully submitted this 19th day of May 2020.

Verification, Certification, and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

William F. Kaetz
437 Abbott Road
Paramus NJ 07653
201 753 1063

5/19/2020
Date

RECEIVED

MAY 28 2020

AT 8:30 AM
WILLIAM T. KAETZ, CLERK
M